

Notice of Allowability

Application No.

10/649,370

Examiner

Jermele M. Hollington

Applicant(s)

JACOBSON ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on June 23, 2005.
2. ☒ The allowed claim(s) is/are 48-94.
3. ☒ The drawings filed on 27 August 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

Jermele Hollington

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

- 1) On page 1, paragraph [0002], line 1, after "This application is" inserting --a continuation of U.S. Application No. 10/277,527, filed October 22, 2004, now abandoned, which is--,

- 2) On page 1, paragraph [0002], line 2, after "July 8, 1999" inserting --now U.S. Patent No. 6,512,354--.

2. Claims 48-94 are allowed over the prior art.

The following is an examiner's statement of reasons for allowance: regarding claim 48, the examiner was unable to locate in combination with other limitations a method for determining properties of encapsulated electrophoretic display media comprising the steps of measuring a first electrical characteristic of the encapsulated electrophoretic display media, where the first electrical characteristic generated in response to an applied first and second electrical signals to first and second electrodes. Since claims 2-10 depend off of claim 1, they are also allowed.

Regarding claim 58, the examiner was unable to locate in combination with other limitations a method for determining properties of encapsulated electrophoretic display media

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comprising the steps of providing at least one measurement pixel of a plurality of pixels wherein at least one measurement pixel having a measurement electrode adjacent thereto and measuring a first electrical characteristic of the at least one measuring pixel, where the first electrical characteristic generated in response to an applied first and second electrical signals to first and second electrodes. Since claims 59-69 depend off of claim 58, they are also allowed.

Regarding claim 70, the examiner was unable to locate in combination with other limitations a method for determining properties of encapsulated electrophoretic display media comprising the steps of providing at least one measurement pixel of a plurality of pixels wherein at least one measurement pixel having a measurement electrode adjacent thereto, measuring a first electrical characteristic of the at least one measuring pixel, thereby obtaining a first value of the electrical characteristic where the first electrical characteristic generated in response to an applied first and second electrical signals to first and second electrodes, repeating steps to obtaining a second value of the electrical characteristic and comparing the first and second values of the electrical characteristic thereby detecting a change therein.

Regarding claim 71, the examiner was unable to locate in combination with other limitations an apparatus for determining properties of encapsulated electrophoretic display media comprising a detection circuit for measuring a first characteristic of the encapsulated electrophoretic display media generated in response to electrical signals. Since claims 72-80 depend off of claim 71, they are also allowed.

Regarding claim 81, the examiner was unable to locate in combination with other limitations an electrophoretic display comprising at least one measurement pixel of a plurality of pixels wherein at least one measurement pixel having a measurement electrode adjacent thereto

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and a detection circuit for measuring a first characteristic of the at least one measurement pixel where the first electrical characteristic generated in response to electrical signals applied to electrodes. Since claims 82-90 depend off of claim 81, they are also allowed.

Regarding claim 91, the examiner was unable to locate in combination with other limitations an input device comprising a detection circuit for measuring a first characteristic of the at least one measurement pixel where the first electrical characteristic generated in response to electrical signals applied to electrodes and a discriminator circuit for detecting a change in the first electrical characteristic of at least one pixel of the plurality of pixels. Since claims 92-94 depend off of claim 91, they are allowed.

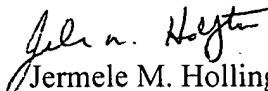
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jermele M. Hollington whose telephone number is (571) 272-1960. The examiner can normally be reached on M-F (9:00-4:30 EST) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (517) 272-2034. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jermele M. Hollington
Primary Examiner
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JMH
August 22, 2005